



Rhode Island School of Design Whistleblower Policy

Rhode Island School of Design expects its faculty, staff and students to perform their duties in accordance with applicable laws and regulations, college policy and procedures with high ethical standards. As a college community we are dedicated to achieving excellence, and we endorse the core values of diversity, mutual respect, integrity, collegiality, academic freedom, stewardship, service, safety, and student success.

Purpose

This policy is intended to encourage and enable employees, students and others who have good-faith serious concerns about misconduct, including violations of law, regulations, or college policy and procedures or other conduct to raise them with the college before seeking external resolution. This policy is intended to complement and supplement existing college policies and procedures. It does not affect any rights, responsibilities or procedures set forth in other college policies addressing misconduct such as harassment, academic and disciplinary matters, grievances, faculty handbook and other matters as to which there are specific college policies. This policy further serves to protect individuals who report suspected violations from retaliation in any form.

Scope and Definition of Fraudulent, Illegal or Improper Activities

For purposes of this policy, the term “fraudulent activities” generally includes any willful or deliberate act performed with the intention of obtaining an unauthorized benefit, such as money or property, by deception or other unethical means. The broader term used here—“fraudulent, illegal or improper activities”—includes actions and activities generally understood to be fraudulent, as well as other actions or activities involving financial improprieties, criminal behavior, violations of other laws, or serious or significant breaches of institutional policies. The term includes, but is not limited to, actions and activities such as the following:

- *Embezzlement, theft, misappropriation or other financial irregularities
- * Forgery or alteration of documents (checks, time sheets, contractor agreements, purchase orders, other financial documents, electronic files)
- * Improprieties in the handling or reporting of money or financial transactions
- * Improprieties in the approval, management, administration or assignment of contracts
- * Theft or misappropriation of funds, securities, supplies, equipment, goods, inventory, or any other asset (including furniture, fixtures or equipment)

- * Authorizing or making payment for goods not received or services not performed, or receiving payment or other consideration for goods not delivered or services not performed.
- * Authorizing or receiving payments for hours not worked
- * Receiving of tangible personal benefit from a third party as a direct consequence of performance of duties as an employee of the College
- * Pursuing or obtaining a benefit or advantage in violation of the College's conflict of interest policies
- * Illegal activities involving the wrongful use, disclosure or appropriation of an individual's personal information, such as identity theft, disclosure of a student's education records in violation of FERPA, or misuse of personal financial or other private information.
- * All activities that violate the law or College policy.

"Illegal" or "Improper" activities include (but are not limited to):

- *Use of illegal drugs and/or abuse or misuse of legal drugs or alcohol
- *Violence or a threat of violence
- *A failure to provide a safe and secure environment in accordance with applicable legal requirements such as OSHA, i.e. unsafe working conditions

This policy is not intended and may not be used for personal or employment grievances, general compensation and benefit complaints, opinions on policy, etc.

GUIDANCE ON REPORTING

An employee or student who has a question about the propriety of any practice under college policies or procedures should seek guidance from his/her supervisor, the college official with compliance oversight responsibility for the particular policy or procedure, the Office of General Counsel or by using the College's anonymous hotline service established with EthicsPoint.

PROCEDURE

Individuals wishing to report violations or suspected violations are encouraged to report their concern to any of the following:

- Immediate Supervisor
- The college official with compliance oversight responsibility for the particular policy or procedure
- The office of General Counsel
- The Vice President of Human Resources
- Controller
- Risk and Compliance Director
- EthicsPoint hotline

RISD employees who receive reports under this policy shall within a reasonable timeframe take appropriate action to determine the validity of the report and address the subject-matter. Reports should contain enough information to substantiate the concern and allow an appropriate investigation to begin promptly. Efforts will be made to treat the report as confidentially as possible, consistent with the need to investigate and correct the action. Although reports may be submitted anonymously, anonymity may hinder investigation of the complaint. Individuals who report issues using methods other than EthicsPoint must keep in mind that in the course of the investigation, it may become necessary that the source of the complaint be identified. Records and personally identifying information reported under this policy shall be confidential and disclosed only to RISD officials with a legitimate need to know in order to appropriately address any issues revealed thereby. All records of the report, anonymous or not, including investigation and subsequent action, must be maintained in accordance with the College's Records Retention and Destruction policy.

Managers need to treat all credible information and allegations indicating possible fraudulent, illegal or improper activities very seriously. Failure by a manager or supervisor to establish necessary management controls, or to report or properly handle reports of fraudulent, illegal or improper activity as required by this policy, may subject the manager or supervisor to discipline up to and including termination of employment.

At the same time, as a College manager with responsibilities in this area, managers should strive to handle complaints and allegations arising under this policy, their investigation and communications surrounding them with an appropriate degree of sensitivity and discretion. Generally speaking, sufficient care must be taken in these cases to avoid incorrect accusations, alerting suspected individuals that an investigation is under way, violating any person's right to due process, or making statements that could lead to claims of false accusation or other civil rights violations.

Confidentiality under the Whistleblower Policy

Confidentiality of the reporter will be maintained to the extent practical within the limitations of the law, College policy and the legitimate needs of the investigation. In addition, employees or students submitting a report should be aware that their public testimony might be needed to prove the case against the suspected employee.

While employees or students are encouraged to come forward with concerns, and to make reports under this policy in all appropriate cases, individuals making reports are also cautioned to take care to limit appropriately their discussions and communications about reported cases in order to minimize their exposure to possible claims by persons accused of wrongdoing.

Although a person's report may possess merit, comments made to others regarding an person could constitute defamation, invasion of privacy or other grounds for civil liability. The person reporting therefore should, subject to exceptions discussed elsewhere in this policy, generally avoid discussing allegations outside of the reporting and investigation process. This is especially true in instances where, after full investigation by the College, it is determined that the suspected person's actions were lawful or within College policy. It should also be noted that if a person self-discloses his or her identity directly or indirectly through his or her own actions

outside of the official investigation process, the College is not obligated to maintain the confidentiality of that person's identity.

ANONYMOUS REPORTS

Individuals who wish to remain anonymous are encouraged to utilize the College's confidential EthicsPoint hotline. A report can be filed in two ways: 1) through the RISD/EthicsPoint web page hosted on an EthicsPoint secure server: <http://www.risd.ethicspoint.com>; or (2) dial the toll-free EthicsPoint phone number 1-866-877-5386. Phone lines are open 24/7 and multi language operators are available.

NO RETALIATION

No individual or individual's relative who is an employee or student of the college, who in good faith reports a violation or suspected violation, directly or indirectly shall suffer harassment, retaliation or adverse employment and/or academic or educational consequence. An employee who retaliates against someone who has made a report in good faith under this policy may be subject to disciplinary action, up to and including dismissal from the college. Individuals who believe they have suffered retaliation may report it to one of the reporting venues identified above.

Sanctions for a False or Malicious Allegation

A report made under this policy may have considerable impact on the personal and professional lives of those charged, both during the investigation and long term. Any person who intentionally makes a false or malicious allegation against another may be subject to discipline up to and including termination of employment as well as civil or criminal charges.

A false or baseless allegation is one made with an awareness of its falsity, or one made without any substantial basis and with a reckless disregard for its truth or falsity.

Record Retention at Ethicspoint

1. Any report received through the Ethicspoint hotline that is deemed to state a legitimate complaint will be referred to the office(s) responsible for handling similar reports received through other means. An Ethicspoint report that is deemed not to state a legitimate complaint will not be referred, and no further action will be taken.
2. The office(s) to which any Ethicspoint report is referred will review and investigate it in accordance with the same procedures applicable to similar reports received through other means. Records of any such review and investigation will be retained in the same manner and for the same time as records of reviews and investigations of similar reports received through other means.
3. No record of an Ethicspoint report concerning an employee or of any review and investigation of that report will be placed into that employee's personnel file unless and until the employee has been found to have engaged in the misconduct complained of, under the

same processes and standards applicable to similar complaints received through other means.

4. Reports received through Ethicspoint will be purged from Ethicspoint after three years from the date they are closed.--